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**FEB 28 2006**

**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): Dugan et al EXPEDITE - AMENDMENT UNDER 37 CFR 1.116

Docket No.

POU920010173US1

Application No.  
10/043,489

Filing Date  
1/11/2002

Examiner  
D. E. Martinez

Group Art Unit  
2181

Invention: Confirmation #6712

Method and Apparatus for A Non-Disruptive Recovery Of A...Processing System

I hereby certify that this 15 Page Amendment After Final w/Transmittal  
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FEB 28 2006

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. POU920010173US1	
Applicant(s): Dugan et al		AMENDMENT UNDER 37 CFR 1.116			
Application No. 10/043,489	Filing Date 1/11/2002	Examiner D. E. Martinez	Customer No. 33558	Group Art Unit 2181	Confirmation No. 6712
Invention: Method and Apparatus For A Non-Disruptive Recovery Of A ... Processing System					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	12 -	27 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	4 -	10 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. 09-0463 in the amount of</p> <p><input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0463</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038.</p>					
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>					
 <i>Signature</i>			Dated: February 28, 2006		
Eugene I. Shkurko - Attorney Registration #36,678 IBM Corporation - P386 2455 South Road Poughkeepsie, NY 12601 Telephone No. (845) 433-1163 Fax No. (845) 432-9601			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____  <i>(Date)</i>		
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<b>CC:</b>					

Atty. Docket No. POU920010173US1

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Serial No. 10/043,489

FEB 28 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

Application of: Dugan et al. Confirmation No.: 6712  
 Serial No. 10/043,489 Group Art Unit: 2181  
 Filed: 01/11/2002 Examiner: David E. Martinez

For: METHOD AND APPARATUS FOR A NON-DISRUPTIVE RECOVERY OF A  
 SINGLE PARTITION IN A MULTIPARTITIONED DATA PROCESSING SYSTEM

## Certificate of Mailing/Facsimile 37 CFR §1.8(a)

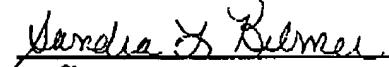
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 on February 28, 2006

Sandra L. Kilmer

  
 Signature

## REPLY AND AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop: Amendment AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed 12/29/05, Applicants respectfully request  
 reconsideration of the outstanding rejections and reexamination of the present  
 application in light of the following remarks.

**Amendments to the Specification:** see page 2 of this paper.

**Listing of Claims:** begin on page 3 of this paper.

**Remarks/Arguments:** begin on page 12 of this paper.